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Fiftieth session
THIRD COMMITTEE
Agenda item 112 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Denmark, Ecuador, El Salvador, France, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Israel, Italy, Japan, Luxembourg, Mexico, Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Spain, Suriname, Sweden, United States of America and Venezuela: draft resolution

Human rights in Haiti

The General Assembly,

Recalling its resolution 49/201 of 23 December 1994,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Taking note of Commission on Human Rights resolution 1995/70 of 8 March 1995, 3/ in which the Commission requested the Secretary-General to appoint an independent expert with the mandate to furnish assistance to the

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

Government of Haiti in the area of human rights, to examine the development of the situation of human rights in that country and to monitor the fulfilment by Haiti of its obligations in this field, and to submit a report to the General Assembly at its fiftieth session and to the Commission on Human Rights at its fifty-second session,

Recognizing the work carried out by the International Civilian Mission to Haiti for the defence of human rights and welcoming General Assembly resolution 49/27 B of 12 July 1995, in which it decided to authorize the extension of the mandate of the Mission,

1. Expresses its thanks for the efforts of the Secretary-General and his Special Representative in favour of the consolidation of democratic institutions in Haiti and the respect for human rights in that country;

2. Welcomes the satisfactory evolution of the political process in Haiti and the holding of legislative and municipal elections and the forthcoming presidential elections, in accordance with the Constitution, as indispensable elements in the strengthening of democratic institutions;

3. Takes note with appreciation of the report of the independent expert of the Commission on Human Rights, Mr. Adama Dieng, on the situation of human rights in Haiti 4/ and the recommendations contained therein;

4. Expresses its concern about the recent incidents of violence, in particular the assassination of a member of the Haitian Parliament, and hopes that such acts and other incidents of violence will not impede continued progress in the field of human rights and the consolidation of constitutional democracy;

5. Welcomes the establishment of the programme of technical cooperation prepared by the Centre for Human Rights of the Secretariat aimed at strengthening the institutional capacity in the field of human rights, particularly in the areas of legislative reform, training for justice administration personnel and human rights education;

6. Expresses its support for the work currently undertaken by the National Commission of Truth and Justice, with the cooperation of the International Civilian Mission in Haiti, in its investigation of past human rights abuses, and looks forward to its report at the end of 1995;

7. Requests the Secretary-General, through the United Nations High Commissioner for Human Rights and the Centre for Human Rights, to take appropriate steps to ensure financial and technical resources for the implementation of such a programme;

4/ A/50/714, annex.

8. Decides to continue its consideration of the situation of human rights and fundamental freedoms in Haiti at its fifty-first session, on the basis of information provided by the Commission on Human Rights and the Economic and Social Council.

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Agenda item 112 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Argentina, Armenia, Austria, Brazil, China, Colombia*, Costa Rica, Denmark, Dominican Republic, Finland, France, Greece, Ireland, Mexico, Panama, Portugal, Spain, Uruguay and Venezuela: draft resolution

Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development, 1/ which it proclaimed at its forty-first session,

Recalling its resolutions 45/97 of 14 December 1990, 46/123 of 17 December 1991, 47/123 of 18 December 1992, 48/130 of 20 December 1993 and 49/183 of 23 December 1994 and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1995/17 of 24 February 1995, 2/

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

1/ Resolution 41/128, annex.

2/ Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

Recalling also the report on the Global Consultation on the Realization of the Right to Development as a Human Right, 3/

Recalling further the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992, 4/

Mindful that the Commission on Human Rights continues to consider this matter, which is directed towards the implementation and further enhancement of the right to development,

Noting the need for coordination and cooperation throughout the United Nations system for a more effective promotion of the right to development,

Recognizing that the United Nations High Commissioner for Human Rights and the Centre for Human Rights of the Secretariat have important roles to play in the promotion and protection of the right to development,

Reaffirming the need for action at the national and international levels by all States to realize all human rights, and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Welcoming the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 5/ which reaffirms the right to development as a universal and inalienable right and an integral part of all fundamental human rights and reaffirms that the human person is the central subject of development,

Recalling that the Vienna Declaration and Programme of Action examined the relationship between democracy, development and human rights, and recognizing the importance of creating a favourable environment in which everyone may enjoy their human rights as set out in the Vienna Declaration and Programme of Action,

Recalling also that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recalling further that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and

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3/ E/CN.4/1990/9/Rev.1.

4/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev.1 (Vol. I and Vol. I/Corr.1, Vol. II, Vol. III and Vol. III/Corr.1)) (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex I.

5/ A/CONF.157/24 (Part I), chap. III.

recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Noting that aspects of the Programme of Action of the International Conference on Population and Development, 6/ held at Cairo from 5 to 13 September 1994, the Copenhagen Declaration on Social Development 7/ and the Programme of Action adopted by the World Summit for Social Development, 8/ held at Copenhagen from 6 to 12 March 1995, and the Beijing Declaration 9/ and the Platform for Action 10/ adopted by the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, are relevant to the universal realization of the right to development,

Welcoming the convening of the United Nations Conference on Human Settlements (Habitat II), and affirming that this Conference constitutes another important international step towards the realization of the right to development, within the context of promoting and protecting all human rights,

Taking note of the work of the Working Group on the Right to Development during its fourth 11/ and fifth 12/ sessions, held at Geneva from 15 to 26 May 1995 and from 25 September to 6 October 1995, 11/

Having considered the report of the Secretary-General on the right to development, 13/ prepared pursuant to General Assembly resolution 49/183,

1. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of the fundamental human rights;

2. Takes note of the report of the Secretary-General on the right to development;

3. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-second session a report on the implementation of Commission resolution 1995/17;

6/ A/CONF.171/13, chap. I, resolution 1, annex.

7/ A/CONF.166/9, chap. I, resolution 1, annex I.

8/ Ibid., annex II.

9/ A/CONF.177/20, chap. I, resolution 1, annex I.

10/ Ibid., annex II.

11/ E/CN.4/1996/10.

12/ E/CN.4/1996/24.

13/ A/50/729.

4. Calls upon the Commission on Human Rights to consider carefully the reports of the Working Group on the Right to Development, to assess whether the Working Group has been able to complete its mandate and to consider thoroughly the necessity to reconvene the Working Group;

5. Requests the Secretary-General to continue coordination of the various activities with regard to the implementation of the Declaration on the Right to Development;

6. Also requests the Secretary-General to ask the Centre for Human Rights of the Secretariat to provide a programmatic follow-up on the implementation of the Declaration on the Right to Development, as part of the efforts to implement the Vienna Declaration and Programme of Action;

7. Requests the United Nations High Commissioner for Human Rights, within his mandate, to continue to take steps for the promotion and protection of the right to development by, inter alia, working in conjunction with the Centre for Human Rights and drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development;

8. Supports the current initiatives of the United Nations High Commissioner for Human Rights, within his mandate, to consult with all relevant bodies, funds, programmes and specialized agencies of the United Nations system on how they may promote the right to development;

9. Invites the regional commissions and regional intergovernmental organizations to consider how they may contribute to the realization of the right to development, including through convening meetings of governmental experts and representative non-governmental and grass-roots organizations for the purpose of seeking arrangements or agreements for the implementation of the Declaration on the Right to Development through international cooperation;

10. Requests the Secretary-General to inform the Commission on Human Rights at its fifty-second session and the General Assembly at its fifty-first session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system on the implementation of the Declaration on the Right to Development;

11. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right and the reports of the Working Group on the Right to Development;

12. Reiterates its commitment to implementing the results of the World Conference on Human Rights, which reaffirm that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

13. Calls upon all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development, as set out in the Declaration on the Right to Development;

14. Decides to consider this question at its fifty-first session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Andorra, Argentina, Australia, Bulgaria, Canada, Czech Republic, Denmark, Finland, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Norway, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in the Sudan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ and the Convention on the Rights of the Child, 4/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to comply with the obligations laid down in the various instruments in this field,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 2106 A (XX), annex.

4/ Resolution 44/25, annex.

Recalling the obligation by all parties to respect international humanitarian law,

Recalling its resolution 49/198 of 23 December 1994 and taking note of Commission on Human Rights resolution 1995/77 of 8 March 1995, 5/

Noting with deep concern reports of grave human rights violations in the Sudan, particularly summary executions, detentions without trial, forced displacement of persons and torture, as described in reports submitted to the Commission on Human Rights by the Special Rapporteur on the question of torture, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on the question of religious intolerance,

Welcoming the third and latest interim report of the Special Rapporteur on the situation of human rights in the Sudan, 6/ and noting with concern the continuing violations of human rights in the Sudan,

Concerned about continuing indiscriminate and deliberate aerial bombardments by the Government of the Sudan of civilian targets in southern Sudan, in clear violation of international humanitarian law, which have added to the suffering of the civilian population and resulted in casualties to civilians, including relief workers,

Deeply concerned that access by the civilian population to humanitarian assistance continues to be impeded, which represents a threat to human life and constitutes an offence to human dignity,

Expressing the hope that the continuing dialogue between the Government of the Sudan and other parties and donor Governments, Operation Lifeline Sudan and international private voluntary agencies will result in improved cooperation for the delivery of humanitarian assistance to all persons in need,

Alarmed by the large number of internally displaced persons and victims of discrimination in the Sudan, including members of ethnic minorities who have been forcibly displaced in violation of their human rights and who are in need of relief assistance and protection,

Alarmed also by the mass exodus of refugees into neighbouring countries and conscious of the burden that this places on those countries, but expressing its appreciation for the efforts of host countries and of the international community to assist the refugees,

Deeply concerned by the conclusion of the Special Rapporteur, also stated in his previous reports, that grave and widespread violations of human rights by government agents, as well as abuses by members of parties to the conflict in southern Sudan other than the Government of the Sudan, continue to take place,

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5/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

6/ A/50/569, annex.

including extrajudicial killings, enforced or involuntary disappearances, abductions, slavery, systematic torture and widespread arbitrary arrests of suspected political opponents, 7/

Alarmed by the continuing failure of the Sudanese authorities to investigate human rights violations and abuses brought to their attention over the past years,

Gravely alarmed that since February 1994 there have been increasing reports from a wide variety of sources indicating that atrocities by the Government of the Sudan against the local population in the area of the Nuba Mountains have intensified,

Concerned by reports of religious persecution in areas of the conflict zone controlled by the Government of the Sudan, and discrimination based upon religion in the provision of shelter and relief,

Deeply concerned by the Special Rapporteur's conclusion that the abduction of persons, mainly women and children, belonging to ethnic and religious minorities from southern Sudan, the Nuba Mountains and the Ingassema Hills area, and their subjection to the slave trade, servitude and forced labour are taking place with the knowledge of the Government of the Sudan, 8/

Deeply concerned about the problem of unaccompanied minors and the use of children as soldiers by all parties despite repeated calls from the international community to put an end to this practice, as described in the report of the Special Rapporteur,

Recognizing the fact that the Sudan has been hosting large numbers of refugees from several neighbouring countries over the past three decades,

Welcoming the release of some of the political prisoners by the Government of the Sudan in August 1995, and noting its recent announcement of open, free and fair elections in 1996,

Welcoming the efforts of the United Nations and other humanitarian organizations to provide humanitarian relief to those Sudanese in need,

Welcome the dialogues and contacts between non-governmental organizations and the religious minorities in the Sudan, aimed at developing a more balanced relationship between the Government of the Sudan and the religious minority groups,

1. Expresses deep concern at the serious, widespread and continuing human rights violations in the Sudan, including extrajudicial killings and summary executions; detentions without due process; forced displacement of persons; enforced or involuntary disappearances; torture and other forms of cruel and

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7/ Ibid., para. 72.

8/ Ibid., para. 75.

unusual punishment; slavery, practices similar to slavery and forced labour; and denial of the freedoms of expression, association and peaceful assembly;

2. Urges the Government of the Sudan to investigate without delay the cases of slavery, servitude, slave trade, forced labour and similar practices brought to its attention and to take all appropriate measures to put an immediate end to these practices;

3. Takes note with appreciation of the interim report of the Special Rapporteur;

4. Welcomes the recommendation of the Special Rapporteur that human rights monitors be placed at the earliest possible date in such locations as will facilitate improved information flow and assessment and independent verification of reports on the situation of human rights in the Sudan; 9/

5. Calls upon the Government of the Sudan to comply with applicable international human rights instruments to which the Sudan is a party, in particular the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Slavery Convention, as amended, 10/ and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 11/ to implement those instruments to which it is a party and to ensure that all individuals in its territory and subject to its jurisdiction, including members of all religious and ethnic groups, enjoy fully the rights recognized in those instruments;

6. Urges the Government of the Sudan to cease immediately all aerial attacks on civilian targets and other attacks that are in violation of international humanitarian law;

7. Calls upon parties to the hostilities to respect fully the applicable provisions of international humanitarian law, including article 3 common to the Geneva Conventions of 12 August 1949, 12/ and the Additional Protocols thereto, of 1977, 13/ to halt the use of weapons against the civilian population and to protect all civilians, including women, children and members of ethnic and religious minorities, from violations, including forcible displacement, arbitrary detention, ill-treatment, torture and summary executions, and deplores the consequences for innocent civilians of the use of land-mines by government and rebel forces alike;

9/ Ibid., para. 82 (j).

10/ United Nations, Treaty Series, vol. 212, No. 2861.

11/ Ibid., vol. 266, No. 3822.

12/ Ibid., vol. 75, Nos. 970-973.

13/ Ibid., vol. 1125, Nos. 17512 and 17513.

8. Again calls upon the Government of the Sudan and all parties to permit international agencies, humanitarian organizations and donor Governments to deliver humanitarian assistance to the civilian population and to cooperate with the initiatives of the Department of Humanitarian Affairs of the Secretariat and United Nations agencies working in the field, in particular Operation Lifeline Sudan, to deliver humanitarian assistance to all persons in need;

9. Reiterates its call upon the Government of the Sudan to ensure a full, thorough and prompt investigation by an independent judicial inquiry commission of the killings of Sudanese nationals employed by foreign relief organizations and foreign Governments;

10. Welcomes the decision of the Commission on Human Rights to extend the mandate of the Special Rapporteur for an additional year;

11. Requests the Secretary-General to continue to provide the Special Rapporteur with all necessary assistance in the discharge of his mandate;

12. Deplores the Government of the Sudan's continuing refusal to cooperate in any manner with the Special Rapporteur, and the unacceptable threats against his person;

13. Calls upon the Government of the Sudan to extend its full and unreserved cooperation to the Special Rapporteur and to assist him in the ongoing discharge of his mandate and, to this end, to take all necessary steps to ensure that the Special Rapporteur has free and unlimited access to any person in the Sudan with whom he wishes to meet, with no threats or reprisals;

14. Invites the Special Rapporteurs of the Commission on Human Rights on religious intolerance and on freedom of expression to consult with the Special Rapporteur on the situation of human rights in the Sudan and to consider and report on the situation in the Sudan, and calls upon the Government of the Sudan to extend them its full cooperation, including inviting them to visit the Sudan;

15. Recommends the continued monitoring of the serious human rights situation in the Sudan and of the regional efforts to end the hostilities and human suffering in the south, and invites the Commission on Human Rights at its fifty-second session to give urgent attention to the situation of human rights in the Sudan;

16. Decides to continue its consideration of this question at its fifty-first session.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belarus, Bulgaria, Canada, Chile, Costa Rica, Czech Republic, Denmark, El Salvador, Ethiopia, Fiji, Finland, Georgia, Germany, Greece, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Liechtenstein, Lithuania, Luxembourg, Malawi, Marshall Islands, Monaco, Netherlands, Nicaragua, Panama, Papua New Guinea, Paraguay, Portugal, Republic of Moldova, Romania, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela: draft resolution

Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, especially resolutions 48/131 of 20 December 1993 and 49/190 of 23 December 1994,

Recalling also the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, 1/ especially the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance in the strengthening and building of institutions relating to human rights and the strengthening of a

1/ A/CONF.157/24 (Part I), chap. III.

pluralistic civil society, and that special emphasis should be given to measures that assist in achieving those goals, 2/

Reaffirming that electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Recognizing the usefulness of a comprehensive and balanced approach in the activities carried out by the United Nations in this field in order to contribute to the strengthening of both democracy and human rights within the country concerned,

Welcoming the support provided by States to the electoral assistance activities of the United Nations, inter alia, through the provision of experts and electoral observers, as well as through contributions to the United Nations Trust Fund for Electoral Observation,

Having considered the report of the Secretary-General, 3/

Noting the continuing high level and evolving nature of requests for electoral assistance by Member states,

1. Takes note of the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections; 3/

2. Commends the electoral assistance provided to Member States at their request by the United Nations, requests that such assistance continue on a case-by-case basis in accordance with the approved guidelines on electoral assistance, recognizing that the fundamental responsibility of organizing free and fair elections lies with Governments, and also requests the Electoral Assistance Division of the Department of Political Affairs of the Secretariat to continue to inform Member States on a regular basis about the requests received, responses given to those requests and the nature of the assistance provided;

3. Requests that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

4. Commends the steps taken by the United Nations to ensure the continuation and consolidation of the democratization process in certain Member States requesting assistance, including the provision of assistance before and after elections have taken place and needs-assessment missions aimed at

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2/ Ibid., sect. II, para. 67.

3/ A/50/736.

recommending programmes which might contribute to the consolidating of the democratization process, and requests that such efforts be strengthened;

5. Recommends that the Electoral Assistance Division provide post-election assistance, as appropriate, to requesting States and electoral institutions, in order to contribute to the stability and continuity of their electoral processes, as provided for in the report of the Secretary-General, and that it study, in cooperation with relevant United Nations offices, ways of defining more clearly the activities related to democratic consolidation which the United Nations might usefully undertake in assisting the efforts of interested States in this regard;

6. Requests the Secretary-General to take further steps to support States which request assistance by, inter alia, enabling the United Nations High Commissioner for Human Rights, in accordance with his mandate and through the Centre for Human Rights of the Secretariat, to support democratization activities related to human rights concerns, including, inter alia, human rights training and education, assistance for human rights-related legislative reform, strengthening and reform of the judiciary, assistance to national human rights institutions and advisory services on treaty accession, reporting and international obligations as related to human rights;

7. Commends the programmes of assistance carried out by the United Nations Development Programme for civil service reform, and for governance, especially those for strengthening participation and linkages between concerned sectors of society and Governments;

8. Recalls the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

9. Stresses the importance of coordination within the United Nations system, including cooperation with the Centre for Human Rights, the Department for Development Support and Management Services of the Secretariat and the United Nations Development Programme, which provide advisory services and technical assistance to requesting Member States, and encourages the Electoral Assistance Division to continue to inform them of requests submitted in the area of electoral assistance;

10. Notes with appreciation additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and need-specific responses to requests for electoral assistance;

11. Requests the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources, under the regular budget of the Organization and within existing resources, to allow it to carry out its mandate, and to continue to ensure that the Centre for Human Rights is able to respond, within its mandate and in close coordination with the Electoral Assistance Division, to the increasing number of requests from Member States for advisory services;

12. Takes note of the evolution in the nature of requests for assistance and the growing need for specific types of expert assistance aimed at supporting and strengthening the existing capability of the requesting Government, in particular, through enhancing the capacity of electoral institutions;

13. Recommends that the Secretary-General consider ways to continue to improve coordination and to strengthen further the efforts of the Electoral Assistance Division, the Centre for Human Rights and the United Nations system in general to respond to its increased and evolving responsibilities and enlarged mandate in the field of electoral assistance and democratization as reflected in the present resolution, and to include his recommendations in this regard in his report to the General Assembly at its fifty-second session;

14. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of resolution 49/190 and the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on his efforts to enhance the Organization's support of the democratization process in Member States.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Australia, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Japan, Luxembourg, Marshall Islands, Netherlands, Norway, Portugal, Republic of Moldova, Romania, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America:

draft resolution

Situation of human rights in Cuba

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other applicable human rights instruments,

Reaffirming also that all States have an obligation to fulfil the commitments they have freely undertaken under the various international instruments,

Taking particular note of Commission on Human Rights resolution 1995/66 of 7 March 1995, in which the Commission recognized with deep appreciation the efforts of the Special Rapporteur to carry out his mandate concerning the situation of human rights in Cuba,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

Expressing concern about continuing serious violations of human rights in Cuba, of which the majority are violations of civil and political rights, as outlined in the interim report on the situation of human rights in Cuba submitted to the General Assembly by the Special Rapporteur, 3/

Welcoming the authorization granted to a delegation comprising representatives of four international human rights organizations to visit Cuba and encouraging the Government of Cuba to grant further access to such organizations,

Welcoming the release of a number of political prisoners,

Recalling the continued failure of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1995/66, including its refusal to permit the Special Rapporteur to visit Cuba,

1. Commends the Special Rapporteur of the Commission on Human Rights for his interim report on the situation of human rights in Cuba;

2. Expresses its full support for the work of the Special Rapporteur on Cuba;

3. Calls once more upon the Government of Cuba to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;

4. Regrets profoundly the numerous violations of human rights and fundamental freedoms in Cuba as described in the report of the Special Rapporteur to the Commission on Human Rights and in his interim report; 4/

5. Urges the Government of Cuba to ensure freedom of expression and assembly, and the freedom to demonstrate peacefully, including by allowing political parties and non-governmental organizations to function freely in the country, and by reforming legislation in this area;

6. Welcomes the ratification by the Government of Cuba of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; 5/

7. Calls especially upon the Government of Cuba to release the numerous persons detained for activities of a political nature, including those specifically mentioned in the report of the Special Rapporteur who suffer from inadequate medical care while imprisoned or whose rights as journalists or jurists are impeded or denied;

3/ A/50/663.

4/ E/CN.4/1995/52.

5/ Resolution 39/46, annex.

8. Calls upon the Government of Cuba to adopt the other measures proposed in the interim report of the Special Rapporteur to bring the observance of human rights and fundamental freedoms in Cuba into conformity with international law and international human rights instruments and to end all violations of human rights by, inter alia, ratifying and effectively implementing those international human rights instruments to which it is not yet party, ceasing the persecution and punishment of citizens for reasons related to freedom of expression and peaceful association, respecting due process, and granting permission for access to the prisons by non-governmental humanitarian organizations and international humanitarian agencies;

9. Decides to continue its consideration of this question at its fifty-first session.

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Agenda item 112 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Afghanistan, Albania, Algeria, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Colombia, Costa Rica, Croatia, Ecuador, Egypt, El Salvador, Georgia, Guatemala, Honduras, India, Kazakstan, Kyrgyzstan, Malaysia, Mauritania, Morocco, Panama, Peru, Republic of Korea, Sierra Leone, the former Yugoslav Republic of Macedonia, Tunisia, Turkey and Venezuela: draft resolution

Human rights and terrorism

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in accordance with the Charter of the United Nations 2/ and the International Covenants on Human Rights, 3/

Bearing in mind that acts of terrorism aimed at the destruction of human rights, including the right to life, which is the fundamental human right, have continued despite national and international efforts,

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1/ Resolution 217 A (III).

2/ Resolution 2625 (XXV), annex.

3/ Resolution 2200 A (XXI), annex.

Bearing in mind also that terrorism creates an environment that destroys the freedom from fear of the people,

Recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, 4/

Recalling also its resolutions 48/122 of 20 December 1993 and 49/185 of 23 December 1994,

Taking note of the Commission on Human Rights resolution 1995/43 of 3 March 1995,

Reiterating that all States have an obligation to promote and protect human rights and fundamental freedoms, and also that every individual should strive to secure their universal and effective recognition and observance,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and other criminal organizations engaged in the illegal traffic in arms and drugs at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, taking of hostages and robbery,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant international human rights principles and instruments, particularly the right to life,

1. Expresses its solidarity with the victims of terrorism;

2. Reiterates its unequivocal condemnation of the acts, methods and practices of terrorism as activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of States;

3. Calls upon States to take all necessary and effective measures in accordance with international standards of human rights, to prevent, combat and eliminate all acts of terrorism wherever and by whomever committed;

4. Urges the international community to enhance cooperation at regional and international levels in the fight against terrorism with the aim of

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4/ A/CONF.157/24 (Part I), chap. III.

eradicating it, and to conform to all relevant regional and international conventions and commitments on this subject;

5. Condemns the incitement of ethnic hatred, violence and terrorism;

6. Requests the Secretary-General to continue to seek the views of Member States on the possible establishment of a United Nations voluntary fund for victims of terrorism, as well as ways and means to rehabilitate the victims of terrorism and to reintegrate them into society, and to submit to the General Assembly at its fifty-second session, for its consideration, a report containing comments made by Member States on the subject;

7. Also requests the Secretary-General to transmit the text of the present resolution to all Member States and to competent specialized agencies and intergovernmental organizations for their consideration;

8. Encourages special rapporteurs, special representatives and working groups of the Commission on Human Rights, as well as treaty bodies, to pay appropriate attention, within their mandates, to the consequences of the acts, methods and practices of terrorist groups;

9. Decides to consider this question at its fifty-second session under the item entitled "Human rights questions".

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Agenda item 112 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Afghanistan, Albania, Algeria, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Colombia, Costa Rica, Croatia, Ecuador, Egypt, El Salvador, Georgia, Guatemala, Honduras, India, Kazakstan, Kyrgyzstan, Malaysia, Mauritania, Morocco, Panama, Peru, Republic of Korea, Sierra Leone, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine and Venezuela: revised draft resolution

Human rights and terrorism

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations 2/ and the International Covenants on Human Rights, 3/

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations, 4/

1/ Resolution 217 A (III).

2/ Resolution 2625 (XXV), annex.

3/ Resolution 2200 A (XXI), annex.

4/ Resolution 50/6 of 24 October 1995.

Taking into account that acts of terrorism in all its forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts,

Bearing in mind that the most essential and basic human right is the right to life,

Bearing in mind also that terrorism creates an environment that destroys the freedom from fear of the people,

Recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, 5/

Recalling also its resolutions 48/122 of 20 December 1993 and 49/185 of 23 December 1994,

Taking note of Commission on Human Rights resolution 1995/43 of 3 March 1995, 6/

Reiterating that all States have an obligation to promote and protect human rights and fundamental freedoms, and also that every individual should strive to secure their universal and effective recognition and observance,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and other criminal organizations engaged in the illegal traffic in arms and drugs at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, taking of hostages and robbery,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant international human rights principles and instruments, particularly the right to life,

Reaffirming that all measures to counter terrorism must be in strict conformity with international human rights standards,

1. Expresses its solidarity with the victims of terrorism;

5/ A/CONF.157/24 (Part I), chap. III.

6/ Official Records of the Economic and Social Council, 1995 Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

2. Reiterates its unequivocal condemnation of the acts, methods and practices of terrorism as activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of States;

3. Calls upon States to take all necessary and effective measures in accordance with international standards of human rights to prevent, combat and eliminate all acts of terrorism wherever and by whomever committed;

4. Urges the international community to enhance cooperation at regional and international levels in the fight against terrorism with the aim of its eradication;

5. Condemns incitement of ethnic hatred, violence and terrorism;

6. Requests the Secretary-General to continue to seek the views of Member States on the possible establishment of a United Nations voluntary fund for victims of terrorism, as well as ways and means to rehabilitate the victims of terrorism and to reintegrate them into society, and to submit to the General Assembly at its fifty-second session, for its consideration, a report containing comments made by Member States on the subject;

7. Also requests the Secretary-General to transmit the text of the present resolution to all Member States and to competent specialized agencies and intergovernmental organizations for their consideration;

8. Encourages special rapporteurs, special representatives and working groups of the Commission on Human Rights, as well as treaty bodies, to pay appropriate attention, within their mandates, to the consequences of the acts, methods and practices of terrorist groups;

9. Decides to consider this question at its fifty-second session under the item entitled "Human rights questions".